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Message Text

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PAGE 01 STATE 035496

16
ORIGIN EB-07

INFO OCT-01 EA-06 ISO-00 L-02 AGR-05 CIAE-00 COME-00

INR-07 LAB-04 NSAE-00 SP-02 STR-01 TRSE-00 CIEP-01

FRB-03 OMB-01 H-01 SS-15 /056 R

DRAFTED BY EB/FTD:WCMIMS:HM
APPROVED BY EB/FTD:MBSMITH
COMMERCE - AGAREL
LABOR - FJAMES
L/T - WMCQUADE (SUB)
L/EB - CPITMAN
EA/TB - JKLEMSTINE
DESIRED DISTRIBUTION
COMMERCE, LABOR, L/T, L/EB, EA/TB
---------- 055767
R 150338Z FEB 75
FM SECSTATE WASHDC
TO AMEMBASSY BANGKOK

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E.O. 11652: N/A

TAGS: ETRD, TH

SUBJECT: TEXTILES -- NOTE TO AMEND BILATERAL AGREEMENT
REF: A) STATE 198062 B) BANGKOK 15133

FOLLOWING OUR RESPONSE TO RTG QUESTIONS REFTEL B:

1. "THAI ITEMS" AND "HANDICRAFT ITEMS" ARE DIFFERENT NAMES FOR SAME THING; I.E. "TRADITIONAL FOLKLORE HANDICRAFT TEXTILE PRODUCTS", TO QUOTE ARTICLE 13 PARA 3 OF MFA. FOR SOME YEARS NOW TERMS SUCH AS "INDIA ITEMS", "MEXICAN ITEMS", ETC. HAVE DESIGNATED THESE PRODUCTS IN OUR TEXTILE AGREEMENTS. HOWEVER, TERM USED IN MFA IS ACCEPTABLE IF
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PAGE 02 STATE 035496

PREFERED BY RTG.

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006

2. TWO SENTENCES BEGINNING WITH "A LIST"AND ENDING WITH "MUTUAL AGREEMENT," ALSO CONTAIN STANDARD PROVISION. IT APPEARS, FOR EXAMPLE, IN PARAGRAPH 17 OF OUR TEXTILE BILATERAL WITH INDIA WHICH IS IN CONFORMITY WITH MFA. RECENT JAPANESE AGREEMENT DISCUSSES "JAPAN ITEMS" IN SIMILAR TERMS IN SIDE LETTER WHICH HAS FORCE OF AGREEMENT AND WILL BE PUBLISHED WITH AGREEMENT IN TIAS SERIES. SIDE LETTER PROVIDES FOR CONSULTATIONS IF CLASSIFICATION

DIFFICULTIES ARISE. HOWEVER, THESE PROVISIONS CAN BE COVERED UNDER CERTIFICATION PROCEDURE IF RTG WISHES. REQUEST EMBASSY EXPLAIN TO RTG THAT, IN THIS CASE, CERTIFICATION PROCEDURE WOULD INCLUDE AGREED UPON DEFINITION OR LIST WITH DESCRIPTIONS.

3. PARAGRAPH ON DISRUPTION BEGINNING "IF THE GOVERNMENT ..." AND ENDING "THE TWO GOVERNMENTS" MAY BE DELETED.

4. PARAGRAPH 3B OF STATE 198062 AND PARAGRAPH THAT BEGINS WITH "20" CAN BE COVERED BY EXCHANGE OF LETTERS. TEXT OF OUR LETTER GIVEN BELOW.

5. NOTE WOULD NOW READ AS FOLLOWS:

EXCELLENCY:

I HAVE THE HONOR TO REFER TO THE COTTON TEXTILE AGREEMENT BETWEEN OUR TWO GOVERNMENTS EFFECTED BY AN EXCHANGE OF NOTES DATED MARCH 16, 1972, AND TO RECENT DISCUSSIONS BETWEEN REPRESENTATIVES OF OUR TWO GOVERNMENTS CONCERNING EXPORTS OF TEXTILES FROM THAILAND TO THE UNITED STATES. AS A RESULT OF THESE DISCUSSIONS, I PROPOSE THAT THE AGREEMENT BE AMENDED AS PROVIDED IN THE FOLLOWING PARAGRAPHS:

"A. THE FOLLOWING SHALL BE ADDED TO PARAGRAPH 6 OF THE AGREEMENT: "FOR THE THIRD AGREEMENT YEAR ONLY, WHICH BEGINS APRIL 1, 1974, EXPORTS OF PRODUCTS IN GROUP I SHALL BE SUBJECT ONLY TO THE AGGREGATE LIMIT, AND THE SPECIFIC LIMITED OFFICIAL USE

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PAGE 03 STATE 035496

LIMITS IN GROUP I SHALL BE CONSIDERED AS CONSULTATION LEVELS. IN THE EVENT THAT EXPORTS FROM THAILAND TO THE UNITED STATES ARE ABOUT TO EXCEED SUCH CONSULTATION LEVELS DURING THE THIRD AGREEMENT YEAR, THE ROYAL THAI GOVERNMENT MAY MAKE A SPECIFIC REQUEST TO THE GOVERNMENT OF THE UNITED STATES FOR INCREASES IN THE CONSULTATION LEVELS. SUCH A REQUEST WILL BE SYMPATHETICALLY CONSIDERED BY THE UNITED STATES.

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006

"B. THE FOLLOWING SENTENCE SHALL BE ADDED TO PARAGRAPH 8: "IN THE THIRD AGREEMENT YEAR ONLY, IF THE TWO GOVERNMENTS AGREE THAT ACTUAL TRADE HAS DEVELOPED IN A MANNER WHICH ESTABLISHES THAT THE AGGREGATE LIMIT WILL PREVENT EXPORTS TO THE UNITED STATES WHICH WOULD OTHERWISE OCCUR, THE UNITED STATES AGREES TO INCREASE THE AGGREGATE LIMIT BY 2 MILLION SQUARE YARDS EQUIVALENT. SUCH INCREASE SHALL BE USED FOR EXPORTS IN GROUP I ONLY AND SHALL NOT BE CONSIDERED IN COMPUTING ANY ADJUSTMENTS UNDER PARAGRAPH 6 (SWING), PARAGRAPH 8 (GROWTH) OR PARAGRAPH 9

(CARRYOVER).

"C. THE FOLLOWING PARAGRAPHS SHALL BE ADDED TO THE AGREEMENT: "19. 'TRADITIONAL FOLKLORE HANDICRAFT TEXTILE PRODUCTS,' CERTIFIED AS SUCH BY THE ROYAL THAI GOVERNMENT ACCORDING TO THE AGREED DEFINITIONS, SHALL BE EXCLUDED FROM THE PURVIEW OF THIS AGREEMENT. TRADITIONAL FOLKLORE HANDICRAFT TEXTILE PRODUCTS ARE DEFINED AS THOSE ITEMS THAT ARE UNIQUELY AND HISTORICALLY TRADITIONAL THAI PRODUCTS CUT, SEWN OR OTHERWISE FABRICATED BY HAND IN COTTAGES, WHICH ARE UNITS OF THE COTTAGE INDUSTRY. A CERTIFICATION PROCEDURE SHALL BE ESTABLISHED BY AN ADMINISTRATIVE ARRANGEMENT PURSUANT TO PARAGRAPH 14 OF THIS AGREEMENT."

IF THE FOREGOING PROPOSAL IS ACCEPTABLE TO YOUR GOVERNMENT, THIS NOTE AND YOUR EXCELLENCY'S NOTE OF ACCEPTANCE ON BEHALF OF THE ROYAL THAI GOVERNMENT SHALL CONSTITUTE AN AMENDMENT OF THE COTTON TEXTILE AGREEMENT EFFECTED BY EXCHANGES OF NOTES SIGNED MARCH 16, 1972.

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ACCEPT, EXCELLENCY, THE RENEWED ASSURANCES OF MY HIGHEST CONSIDERATION.

6. LETTER FROM AMBASSADOR TO APPROPRIATE RTG OFFICIAL WOULD READ AS FOLLOWS:

"WITH REFERENCE TO THE ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND THAILAND CONCERNING TRADE IN COTTON TEXTILES EFFECTED BY EXCHANGE OF NOTES SIGNED MARCH 16, 1972, AND RECENT DISCUSSIONS BETWEEN REPRESENTATIVES OF OUR TWO GOVERNMENTS, IT IS THE UNDERSTANDING OF MY GOVERNMENT THAT IN IMPLEMENTING PARAGRAPH 7 OF THE ABOVE MENTIONED ARRANGEMENT, IT IS NOT NECESSARY FOR THE ROYAL THAI GOVERNMENT TO DIVIDE EVENLY OVER THE AGREEMENT YEAR THOSE EXPORTS WHICH REQUIRE A DIFFERENT PACE OF

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Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006

AUTHORIZATION DUE TO SEASONAL FACTORS.

"IT IS FURTHER UNDERSTOOD THAT OUR TWO GOVERNMENTS AGREE TO NEGOTIATE A NEW BILATERAL AGREEMENT DURING THE THIRD AGREEMENT YEAR BEGINNING APRIL 1, 1974, OR AS SOON THEREAFTER AS POSSIBLE. THE NEW AGREEMENT WILL COVER TRADE IN COTTON, WOOL AND MAN-MADE FIBER TEXTILES IN CONFORMITY WITH THE PROVISIONS OF THE ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES. PENDING COMPLETION OF SUCH NEGOTIATIONS, THE UNITED STATES WILL NOT

RESTRAIN EXPORTS OF MAN-MADE FIBER AND WOOL TEXTILE PRODUCTS IN THE ABSENCE OF THE CONDITIONS PRESCRIBED IN THE ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES.

"I WOULD VERY MUCH APPRECIATE IT IF YOU COULD CONFIRM THESE UNDERSTANDINGS ON BEHALF OF YOUR GOVERNMENT.

"(CUSTOMARY COMPLIMENTARY CLOSE)"

7. UPON CONFIRMATION THAT FOREGOING NOTE AND LETTER ARE ACCEPTABLE TO RTG, AUTHORITY FOR AMBASSADOR TO SIGN WILL BE FORWARDED TO EMBASSY. INGERSOLL

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Copy: SINGLE
Draft Date: 15 FEB 1975
Decaption Date: 01 JAN 1960
Decaption Note:
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Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
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